

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ENCOMPASS INSURANCE COMPANY OF
MASSACHUSETTS,

Plaintiff,

vs.

JOSEPH D. GIAMPA, FREDERICK T.
GIAMPA, ADVANCED SPINE CENTERS,
INC., d/b/a FIRST SPINE REHAB, FUTURE
MANAGEMENT CORPORATION, FUTURE
MANAGEMENT BUSINESS TRUST,
EDWARD KENNEDY, BRIAN J.
CULLINEY, D.C. and JENNIFER
McCONNELL, D.C.

Defendants.

Civil Action No. 1:05-cv-11693-RCL

MOTION TO WITHDRAW DISCOVERY MOTION

NOW COMES the plaintiff, Encompass Insurance Company of Massachusetts, and respectfully requests that this Honorable Court enter an Order WITHDRAWING plaintiff's Motion to Compel the Deposition of Rebecca Morales (Docket #s 133-136). By agreement of counsel, the non-party deponent, Rebecca Morales, will appear for deposition on August 10, 2007.

Respectfully submitted,
Encompass Insurance Company,
By its attorneys,

/s/ Nathan A. Tilden

Richard D. King, Jr., BBO#638142
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Dated: June 12, 2007

Certificate of Service

I, Nathan A. Tilden, hereby certify that on this 12th day of June, 2007, this document was filed through the CM/ECF and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

The foregoing documents have also been sent via electronic mail direct to:

Francis A. Gaimari, Esquire
Fireman & Associates, LLP
145 Rosemary Street, Suite H-2
Needham, Massachusetts 02494

____/s/ Nathan A. Tilden____